

WORDS & VISION

UCFV Faculty & Staff Association Newsletter
Vol. 3 No. 4
February 1996

RECEIVED
MAR 27 1996

In this Issue

From The Editor	1
Letter to the Editor	2
1996 Letter of Agreement Ratification Results	3
Reports	
President	3
Faculty Grievance Chair	4
Status of Women	5
JCAC Report	6
Article	
Enforce the Overload Policy!	6
Essay	
The Frogs are Dancing	8
Notices & Information	9

From The Editor

Baby Boomer Blues

Don't know 'bout you, but the recent Action Day of student protest against the looming budget cuts made me feel old, in a weird time-tripping way.

The escalation of mailbox memos re support for Feb. 7 — not to penalize students for absences, transport to the rally, etc. — got me pretty excited. Just like the old days, I thought, back in the

supercharged 60s, when being a student naturally meant involvement in IMPORTANT ISSUES — and what could be more vital, then and now, than Education, right?

Two busloads of UCFV students made it, and their presence at the rally was appreciated. But when I passed the relevant notices round in class beforehand and deferred homework for the big day, not one of my own charges showed any interest. What difference did it make, they said; tuition would go up no matter what — and, hey, they were busy with their own lives.

We discussed the concept of 'apathy' and I tried to talk about the spirit of student life back in my day, i.e., the sense of social/political responsibility that came with it. To better connect, I pointed out how we all like the rock n' roll of that period — Hendrix, the Doors, etc. — which is all about sex and drugs, of course, but also about alienation, freedom, change, community, protest against injustice, and, yes, questioning, learning, discovering. They laughed. To them it's just "cool music," not meaningful.

At that moment, the generations really gapped. My students, I understood with a slightly dizzy sensation, saw me merely as a balding artifact of the past, not a real person at all — this bearded, geezer prof cranking up "All Along the Watchtower" as he zooms down the freeway in his high-mileage economy car. Big deal.

I realized, too, that my disappointment was unreasonable.

After all, why should I be looking to these youngsters to save the day, to rescue Education or protect my profession? I guess my own youth culture is like a vapour trail that follows me wherever I go, immortalized in all those golden oldies on the radio. Fact is, I identify more with students protesting than my students do, and that, obviously, is plain silly.

Tonight, with my Ovaltine, maybe a tab of acid...

Write On

Speaking of three letter acronyms, like LPI, EPT, CPT, the cool, new thing is going to be the APT, Alzheimer's Placement Test — coming soon to a student population near you. A study in the most recent **Journal of the American Medical Association** (as reported in the Feb. 21st Sun) claims that the writing styles of folks as young as 20 can predict with 90% accuracy whether or not they will go mad in old age.

Words & Vision is the newsletter of the University College of the Fraser Valley Faculty and Staff Association.

Editor: Richard Dubanski

Secretarial Support: Jacqueline Ritter

Printed by: Janet Allanson, UCFV Printer Services

Contributions and ideas are welcomed from all FSA members.

For more information or comments about Words and Vision, contact the FSA Office, local 4530.

*UCFV Faculty and Staff Association,
33844 King Road, R.R.#2, Abbotsford, B.C.,
V2S 7M9. Tel: 854-4530 FAX: 853-9540*

Researchers expected to prove the conventional wisdom that a good education and active mind are safeguards against 'driving with AI' into oblivion. Instead they discovered that what's really important is — none of the above — being able to write sentences "grammatically complex and packed with ideas." Strange as it may seem, "Almost all [the subjects] whose sentences were simple and comparatively devoid of complex grammatical constructions were demented six decades later." An example given of the first type is rich in metaphor, allusion, and other tropes; the second is a clear, direct, and factual conveying of information.

Setting aside for the moment the diagnostic implications of an APT, of streaming future students for success and 'other options', this news will have far-reaching effects on writing, teaching, and life in general. Forget 'clarity', 'conciseness', and all the other stalwart virtues of everyday effective communication (my students will sure be surprised); rather strive for a dense, somewhat arcane, fanciful and allusive, syntactically stretching, and downright playful writing style — that'll save you, if anything can. Ain't that a kick in the brain pan?

Who knows? Maybe soon linguistic tests will be developed for detecting all sorts of mental aberrations, for schizophrenia, erotomania, department headship, etc. In the meanwhile, you might want to keep track who is checking out samples of your writing.

-Richard Dubanski

Letter to the Editor

February 26, 1996

Peter Jones, President
UCFV

Dear Peter:

We were intrigued by the current display in the Fine Arts area of the University College, which features graffiti-inspired messages decrying the censorship of visual images. Upon inquiring, we have discovered that some past examples of student art have been the subject of criticism, and that in response, these works have been removed from display, or moved to a location where they would not be seen by casual passers-by.

As Freedom to Read Week commences in our libraries, we would like to put forward the case for freedom to view. There is no doubt that many of the images that have been displayed in the Fine Arts area are jarring on first glance, and disturbing as the viewer ponders the message behind the image. We would argue, however, that this is exactly the reaction the viewer should have to this art, and that it is more than appropriate for this material to be on display in a public area at UCFV. A university is an institution which should foster an environment where we can be challenged out of our complacency, where we are forced to confront some of the unpleasant aspects of life in North America in the dying years of this millennium, and in doing so perhaps be spurred into action. In the

conservative communities that compose the Fraser Valley, it is even more important for UCFV to support this freedom of expression and communication. If there is no room on the walls of UCFV for this art, then these ideas will remain unexpressed, and intellectual freedom will suffer as a result.

We have grave concerns that the response to criticism of this art has been to remove it from the walls, rather than to open up discussion of both the aesthetics and the issues behind the images. This truly does smack of censorship. If an individual dislikes a particular work, then he or she should feel free, in fact should be encouraged to speak out and explain what it is that he or she objects to. To remove the work, however, is to take away the voice of the artist, and to deny the rest of us the opportunity to experience these ideas, and to develop our own response.

The following pages list the names of staff and faculty of UCFV who support the freedom of expression of Fine Arts students at UCFV.

Respectfully,

Kim Isaac
Tim Atkinson

cc: *Words & Vision*
All UCFV Deans

Ed.: "following pages" refers to a petition being circulated by Kim and Tim.

1996 Letter of Agreement Ratification Results

YES	255
NO	007
SPOILED	008
 TOTAL	 270

President's Report

Pre-Budget Thoughts

Each month when I sit down in front of my computer to put ink to paper I ask myself a very simple question: what do the members want to hear? Unfortunately, before I can attempt to answer this question there is a further complication — the primary concern for most members is that they want to know what the budget will be for the next fiscal year. Alternatively, and somewhat more specific, members want to know whether there will be a reduction in the number of Faculty and Staff employed at UCFV.

Unfortunately, I can not answer these questions, except by distributing fuzzy and general statements. This unfortunate truth has arisen because the Ministry has yet to decide how to allocate an anticipated smaller pot of money. This is not to say that people are not speculating on what will happen come March 31 and that some of this speculation has come across my desk.

I think, however, that it is neither constructive nor healthy for me to add to the speculation and rumours by telling everyone what I have heard while standing around the water cooler. As soon as I find out what the actual state of nature is with respect to the UCFV budget and its impact on members, I will immediately inform all members either through a set of news releases and/or by holding another general meeting.

On a somewhat more positive and definitive note, I would like to thank all of the members who came out to the Extra-Ordinary meeting on February 15. I hope you found it informative and, in some sense, useful. I would like to thank Barry and Norah for their effort on behalf of management (not sure whether I have just violated some cardinal rule concerning ~ Union/Management protocol by thanking Management for their efforts).

I would also like to thank Moira Gutteridge for her help in coming up with the Letter of Agreement even though she was at home recovering from a broken ankle. It was unfortunate that she was unable to make the meeting to answer some of the questions asked by those in attendance. Perhaps next time!!!

So, What Else is New?

As you are all aware the strikes at eight Colleges and Institutes are over. The two parties will resume discussions at the central table around the beginning of March.

More important are the ongoing discussions surrounding the development of a strategic plan for public post-secondary education. As of the beginning of March, the FSA does not yet know what is in the

strategic plan. We do know that the strike slowed down the process and that there are still some problems with some of the language and intent of parts of the strategic plan. Hopefully we will hear something by the second week of March.

On a related issue, the membership who attended the extraordinary meeting passed the following motion:

Be it resolved that: In the face of Federal cutbacks to Post-Secondary Education, the FSA confirms its commitment to local autonomy and local bargaining. We direct CIEA, as our provincial association, to carry forward our position in an aggressive manner.

I have passed this concern onto President's Council and I have requested that at the next President's Council meeting in March we openly discuss and have a full and complete debate on both the multi-institutional discussions and the strategic plan. It is my understanding that President's council has not debated the issue of centralization as it is being developed in both the strategic plan and around the table at the multi-institutional discussions. I hope that the other Presidents and the CIEA executive will engage in both a constructive and useful debate. I also would like to think that, if President's council so wishes, it is possible to alter CIEA's push for a centralized model for post-secondary education.

I would also like to make another point clear — by passing this motion the membership is expressing concerns about the move towards centralization. I am of the opinion that we are not criticizing the work

being done by the CIEA executive, our staff representative or the many other subcommittees on any other non-centralization issue.

Finally, with our new Premier the customary restructuring of Ministries and the movement of people onto or off of cabinet, comes news that public post-secondary education will be combined with the K-12 system to form a new Ministry of Education. It is still too early to evaluate what the impact will be on post-secondary education in general and UCFV specifically. Once again, under a new Minister, I hope that she/he will stop the slow (and sometimes rapid) erosion of our ability to deal with problems and issues in-house by talking directly with Management. We have a lot invested in our relationship with Management and it would be truly unfortunate if we were to lose our ability to deal directly with those who manage UCFV.

Once again, 'interesting' is the word that comes to mind when describing the current environment here at UCFV. In some sense, we are waiting for a clear direction from the Ministry and once we have that direction we can get back to what we do best — provide a valuable service to students. I think I can speak for the entire membership when I say that we would prefer the information to come to us sooner as opposed to later. As such, the executive will endeavour to keep everyone up to date on what is happening as soon as we know.

-Dale Box

Faculty Grievance Chair Report

Deirdre McGroarty, staff employee in Chilliwack, was required by the employer to go home in early December, owing to circumstances that were never fully disclosed to the FSA. She was not financially penalized; her salary and other entitlements by the Collective Agreement would be maintained until her term contract expired in June.

Deirdre objected — rightly in the FSA's view — because UCFV's action was a form of discipline for which there was no proof of just cause that UCFV is required to have and present to the FSA (see Article 16 in the Collective Agreement). The purpose of discipline — in this case, suspension — is to punish and/or correct employee behaviour, actions, etc., that squarely contravene UCFV policy or performance standards, even if the discipline is not financially punitive. Also, in the correct course of the discipline process, the progressive principle usually applies, that is, the employer is required to begin with a verbal, then written, censure, moving up the ladder in severity if the employee does not take remedial action and show results. The employer could jump the steps to a suspension, even a termination, if the allegation against the employee were damn serious and verifiable.

UCFV's discipline of Deirdre was unacceptable to the FSA because she was an employee in good standing. UCFV had never evaluated her. According to Article 15.2 (d), "...in the absence of an annual report, the performance of the employee shall be deemed to be satisfactory for that year." No adverse evaluation or

evidence of censure (or warning) exists. If Deirdre had been an unsatisfactory employee, then UCFV wasn't doing its job on the evaluation front, pointing out what was less than satisfactory with time to correct, etc.

If she was to be paid out until the end of her contract without being asked to report to work, what's the fuss? Unjust discipline, if unchallenged by the FSA, undermines the reputation of the employee, the conclusion many of us would make about the employee who was told to go home. Keep in mind that Deirdre has an internal candidate status and is entitled to apply for other jobs at UCFV for which she may be qualified, and that we work and live in communities where rumours get around.

In all, the FSA can never accept any violation of Article 16. At step two in the grievance procedure, UCFV sustained the grievance. The FSA accepted a remedy that would reinstate Deirdre in a position equivalent to the one she had. Return to her former position would not result in the restoration of her work record and reputation, considering the previous record of management which was plainly unsatisfactory.

-Bob Smith

Status of Women Committee Chair Report

1. CIEA PROVINCIAL STATUS OF WOMEN COMMITTEE MEETING

I attended the provincial meeting Feb. 9/10 in Vancouver. During the round robin (11 of 17 institutes reporting) only two reps. did not talk about abuse of power as a main issue at their college. Some, but not all, are gender in origin and include professional vs. union interests and hiring Ph.D vs. MA.

As a result, SWC is asking for provincial CIEA support/funding to do a research report on the status of women at each institute.

I AM THEREFORE ASKING ALL STAFF AND FACULTY WOMEN TO SUBMIT TO ME WHAT THEY THINK SHOULD BE LOOKED INTO. THESE RESPONSES WILL BUILD THE VARIABLES FOR OUR RESEARCH DESIGN.

Please send to me in writing or E-mail.

2. SWC MEETINGS IN EASTERN AND WESTERN REGIONS, FEB. 6/14

Discussed a number of issues, including the cut off of income assistance to women currently enrolled in programs. We need to be part of organizing a response to the gov't. as this affects hundreds of our single parent students. Stay tuned.

We discussed the controversy of the Fine Arts student display at the Abby campus. SWC has written to the department in support of their work, and has asked to meet with them to discuss complaints.

SWC will work with the Fair Practices Office and Safer Campuses Committee to plan educational/support sessions around the issues of harassment/unfair practices and safety.

3. UPCOMING SWC MEETINGS welcome staff, students, faculty

Location & Time	Dates
Chilliwack Rm. M204 12:00-1:00	Tues., Feb. 27 Tues., April 02 Tues., May 07
Abbotsford Rm. B223A 12:00-1:00	Tues., March 26 Thurs., April 25

-Georgina Marshall

INTERNATIONAL WOMEN'S DAY MARCH 8

!! CELEBRATE !!

**A NUMBER OF EVENTS IN
THE COMMUNITY AND
UCFV ARE PLANNED IN
CELEBRATION OF
WOMEN'S ACHIEVEMENTS/
WOMEN'S STRUGGLES**

**CHILLIWACK &
ABBOTSFORD CAMPUS
DISPLAYS ON MARCH 8**

**LOOK TO THE YELLOW
BULLETIN FOR
INFORMATION ABOUT
PROGRAMMING OF
INTEREST TO WOMEN
DURING MARCH**

JCAC Report

Last semester Management hired the firm of Crossman Shepherd Associates, Human Resource Management Consultants, to conduct an independent audit of the UCFV staff job evaluation plan. This audit was prompted partly by JCAC members concern that the plan no longer provided the breadth or scope to accurately evaluate the growing diversity among staff positions. This is not surprising, since all job evaluation plans require regular maintenance every five years or so to ensure that they are appropriate and accurate.

Apart from JCAC concerns, the audit was timely for pay equity reasons. In September 1995, the B.C. Government passed Pay Equity Legislation which requires all public sector employers to implement pay equity practices aimed at achieving fairness and equity in wages for all employees.

The FSA agreed to contribute up to \$1500 towards the cost of this audit report which was half of the \$3000 fee.

Management has now received the Crossman Shepherd report. It recommends a significant overhaul of the plan to bring it in line with the present requirements of pay equity legislation. The news is both good and bad. The good news is that we have a basically sound evaluation plan. When it was implemented at UCFV in 1988, the plan was based on pay equity policy in place in Ontario post-secondary institutions at the time. As a result, the plan now needs to be revised, not replaced. The bad news is that the cost of a comprehensive overhaul will be

\$14,000 to \$16,000 and could go as high as \$20,000.

Management has approached the FSA for a financial contribution towards the cost of the overhaul and has suggested \$4,000, the equivalent of one faculty course release, as an appropriate amount. On the one hand, there is nothing in the Collective Agreement which requires the FSA to contribute, and indeed the FSA has already committed \$1500 to this audit report. On the other hand, the FSA has historically contributed financially to major projects which have affected the work environment of large segments of the membership, as it did when the present staff job evaluation plan was implemented. It should also be noted that UCFV is one of the few public sector institutions which is committed to a joint process between employer and employees for developing and maintaining plans and policies affecting working conditions.

Management is committed to implementing the recommendations in the report and would like to begin the process soon so that the revisions are in place for the 1996/97 fiscal year. The written portion of the process should be completed by July, and consultations with JCAC members and other interviews with staff would take place after that.

The report was discussed at the February 28th FSA Executive meeting. The Executive agreed to support Management's decision to proceed with the recommendations in the Crossman Shepherd report. The Executive also recommended to the Treasurer that a line item be created in the FSA budget for the fiscal year 1996/97 in the amount of \$4000 to be allocated for the revision of the job evaluation plan.

Until the review is under way, what the revisions might look like and how they will affect the job evaluation plan is unclear. As JCAC Co-Chair, I will pass on information as it becomes available. Please call me if you have questions. I am available from 10:00am-2:00pm Wednesdays and from 9:00am-1:00pm Fridays to meet with you individually, or in groups, if you would like to discuss the job evaluation plan, the job review process, or the implications of changes to the plan. My local is 4282 in Abbotsford and 2432 in Chilliwack. Other FSA members on JCAC are Jackie Hogan (4211), Cameron Roy (4522), and Craig Toews (4222). They are also happy to talk with you.

- Fay Hyndman

Enforce the Overload Policy!

The bills keep coming in, the oldest is off to university, the car is getting old. When an extra course comes along that you could teach, the prospect looks pretty attractive. There are a couple of very good reasons, however, to reconsider.

You may argue that if you choose to work weekends, it is your business. In good times, this is probably true, as long as you do your fair share of all the administrative and curriculum jobs that have to be done. Times, however, are not good. Those of us with regular appointments need to pay some attention to the fact that colleagues, equally talented and

ambitious, are locked out of secure employment because there are fewer and fewer regular overloads — not just once in a while, in an emergency, or special case, but routinely. Can this possibly be justified? While many of us are caught by high housing prices, kids in school, dependent parents, and so on, these same problems are faced by under- and un-employed part-timers, and they have far less ability to manage these obligations.

There is another issue to consider. People who do routine overloads undermine, in a serious way, our ability to maintain overloads at a reasonable level.

If the upper-level faculty member who has a reduced section load to teach upper level courses then turns around and takes an overload section, term after term, how do we argue that the current workload levels should be maintained? If department heads with section releases for administrative work then teach extra courses, how can those section releases be justified? We are currently facing a cost-cutting drive. What better place to cut costs than workload? Your extra courses could cost all of us a reasonable workload when negotiations roll around. After all, if you can cut a few corners and fit in extra work, why can't we all?

Normally, the workload varies a lot from semester to semester, and while one semester's load may permit a little extra work, the next is exceptionally heavy. People balance these things out over time, knowing that if this semester is heavy, the next will probably bring some relief. Lately the workload is always heavy, thanks to the challenge we all face to build new curriculum and new programs.

Routinely working overloads makes it appear the workload is light all the time, and never too heavy. It throws doubt on the whole workload agreement that most of us see as reasonable. In fact, for most, the current workload is very demanding, because of the extra work created by the growth of programs. Most people at UCFV do not work routine overloads. Most people are quite aware that their jobs, done properly, are full-time and more.

We do have an overload policy at UCFV, a policy which is largely ignored. It is time to quite ignoring it and start enforcing it. The FSA should be asking for immediate notification of overload work, and questioning its necessity. Furthermore, if the overload can be justified, then the extra work should be compensated with time, not money. An overload section should be banked, either to the following term or toward a self-funded educational leave. This will prevent the part-timers from being shut out of work which is properly theirs, for they will eventually get the work. The routine overload work that a few people do should be entirely eliminated, and those who do it should not be admired for their energy, but asked which part-timer they've deprived of necessary work, and how that part-timer is faring. Ask that hard-working colleague to sit on another committee. There are more than enough committees to go around to absorb all that work-harder, work-smarter ethic.

-Cheryl Dahl & Eric Davis

**From: THE UCFV POLICY
MANUAL**

Section: 210.05

**Title: Faculty Overload and
Outside Employment**

Resolution No.: 063/89

Approved/Revised: 1989 05 02

Policy

The intent of this policy is to encourage faculty to participate in the various programme areas of the University College so that there is maximum benefit to individuals and agencies served by the University College, and such that there is reasonable compensation for and controls on the faculty time invested.

University College of the Fraser Valley permits faculty members to assume additional duties (overload) at the University College, beyond their regular assigned duties as described by the Collective Agreement. Whenever possible duties which would otherwise constitute an overload will be assumed as part of a regular duty load on a release basis.

Definitions

Overload: *Any additional duty beyond what normally constitutes a full load, for which a University College of the Fraser Valley faculty member receives remuneration from University College of the Fraser Valley in addition to contracted salary.*

Outside Employment: *Employment of a University College of the Fraser Valley faculty member by another employer.*

Guidelines

1. As a matter of professional obligation, a faculty member should inform his or her Director or Dean of outside employment.
2. The extent of any outside employment will be considered in the approval of overloads.
3. As a general guideline, a faculty member may assume additional duties on an overload basis up to a maximum of twenty-four (24) days or equivalent hours ($24 \times 7 = 168$) per year.
4. With the exception of departmental course work done through Contract Services, full-time faculty should not assume sessional section overloads in their own departments, except on an emergency basis where no part-time instructor can be found. Where such an overload is assumed, it will be considered part of the total maximum annual overload.
5. Hourly paid overloads (part-time vocational programmes, trades, ABE, etc.) will be considered part of the total maximum annual overload.
6. As much as possible, overload time is to be distributed throughout the duty year on a proportionate basis; e.g., ideally in equal proportions of teaching, non-teaching duty, professional development and vacation time.
7. Compensation for overloads shall be at approved University College rates.
8. Overloads will be approved subject to:
 - a) knowledge of the department members, as confirmed by

the Director, programme/department head or coordinator;

b) it being clear that such overload will not be detrimental to the performance of duties as per relevant articles of the Collective Agreement;

c) the above guidelines;

d) the signature of the appropriate Dean upon recommendation of the programme/department head or Director.



The Frogs are Dancing

The frogs are dancing, they are tiny and there are thousands of them! They prance to the beat of my running feet; miniature grey amphibians, dancing by the roadside in the soft morning sunlight. I watch amazed as they dance back into the relative safety of the shallow creek that follows the curve of the mountain road where I'm taking my morning jog. I had encountered them the previous evening as they stood, stunned and somnambulant, in the middle of the road, hypnotized by the gently falling rain, unwilling, then, to retreat to the haven of the creek. Their stunned adoration of the rain had cost them dearly: the blacktop was speckled with countless flat, dime sized corpses, victims of the cars and trucks that regularly use the Ryder Lake access road. Several evening strollers, alarmed by the

extent of the carnage, were attempting to return some of the frogs to the creek by hand. It was a futile if well meaning exercise. The frogs persisted in returning slowly to the centre of the road, to stand in silent supplication, heads raised towards the benevolent yet deadly downfall, oblivious to the imminent threat of a swift and messy end. I had continued my run, puzzled and saddened by the bizarre situation created by the clash of a natural calling: the frogs' need to worship the rain, and an unnatural one: our seemingly irrepressible need to thrust unthinkingly and destructively into complex, fragile environments. This collision of purposes had, in this case, produced a surreal dichotomy, painful and jarring to the soul.

Twenty minutes later I gasp my way up the final few yards of the gravel road leading to the hillside home where I am housesitting for friends. Webster, the family's ginger and white moggie, greets me with a celebratory roll and his Harley Davidson purr. We have bonded swiftly, Webster and I, in the few days that we have been together. We are to be companions for two weeks, and have already had many interesting, wordless conversations.

Together, later that evening, we take in a breathtaking sunset of feathered furnace red and gunmetal grey clouds, that drift slowly across the blinking lights of the Fraser Valley hundreds of feet below. Lights that from this distance have a magical fairytale quality. It's a view and a location to die for; but it could soon become another demi-paradise lost. Rumours of development and subdivision hang in the air and the purveyors of black-top and broadened tax base await the right moment to make their move.

I muse on this and scribble my thoughts about the frogs, while Webster traps and consumes, with great relish, an unfortunate passing dragonfly. Frogs: ancient archetypal symbols, mercurial amphibians, equally at home on land or in the water, in the conscious or the unconscious, liminal, symbolic guardians of the border crossings of the psyche, small, slimy, prolific creatures, with apparently succulent legs that swim and are able to leap incredibly long distances.

As I write, the fascinating law of synchronicity comes into play and a single frog, a tiny grey emissary, hops into view from behind one of the plant pots on the patio deck. I'm so amazed and delighted by his appearance, that I'm almost too late in preventing Webster from devouring him too. I return Webster to the house and he watches me with an expression of total desolation from the kitchen window as I encourage his prey to hop slowly away into the cool, dark sanctuary of the surrounding grass. Mindful of his good fortune the frog does not return during the remainder of my stay.

Later in the week, however, his family still dance by the roadside as I again beat feet along side them. They are tiny and there are thousands of them! They are dancing with the vibrant, irrepressible choreography of life. The same, pulsing energy found in the electric squirm of maggots at the base of a neglected garbage can; and the joyful, haywire pursuit of mad puppies intent on mayhem on a bright, sunlit afternoon in suburbia. The frogs are dancing and I want to dance with them; dance off into the sun at the pure joy of being and the incomprehensible privilege of existence.

Some days later on a rainy

Sunday morning, Webster stealthily insinuates himself between the bedcovers and pushes his vibrating nose into my beard. I'm in that fecund no-mans-land between sleep and waking, musing again on the frogs and their inability to exist undisturbed in their chosen habitat. They are still dancing, for the moment at least. Their dance provides no profit, save that of the enrichment of the human spirit. They know nothing of real estate values, increased tax bases or profit margins. I suddenly realize that in the grand scale of things, one tiny frog, its head raised in supplication to the evening rain, means much more to me than any of the crass, material benefits of rampant, myopic subdivision. I think Webster agrees with me.

-Rick Mawson

Notices & Information

Lecture Series

Cheryl Dahl and Ron Dart will be presenting a series of lectures which would challenge the arguments of the new right on social and economic policy.

Those interested in working with Ron and Cheryl can contact them at:

Cheryl Dahl 4265
Ron Dart 4319

CIEA of B.C. Presents:

EDUCATION IN TOUGH TIMES

1996 PROFESSIONAL DEVELOPMENT SEMINAR

Saturday, Mar. 23, 1996
08:30-16:30 hours
Holiday Inn Vancouver Cntr.
711 W. Broadway, Van., B.C.

Speaker will be Jim Turk, Director of Education at the Ontario Federation of Labour. Mr. Turk will be followed by a panel on BC issues, and various afternoon workshops.

For Registration info.
call/fax CIEA at:
Tel.: 604-873-8988
Fax: 604-873-8865
- OR -

Check the FSA bulletin board in Abbotsford

Model Clause on Fraud and Misconduct in Academic Research and Scholarly Activity

1. Definition:

1.01 Factors intrinsic to the process of academic research and scholarly activity such as honest error, conflicting data, or differences in interpretation or assessment of data or of experimental design or practice do not constitute fraud or misconduct.

1.02 Fraud and misconduct in academic research and scholarly activity means:

- (a) fabrication, falsification, or plagiarism;
- (b) failure to recognize by due acknowledgement the substantive contributions of others, including students, or the use of unpublished material of others without permission, or the use of archival materials in violation of the rules of the archival source;
- (c) failure to obtain the permission of the author before making significant use in any publication of new information, concepts or data obtained through access to manuscripts or grant applications during the peer review process;
- (d) attribution of authorship to persons other than those who have participated sufficiently in the work to take public responsibility for its intellectual content;
- (e) submission for publication of articles originally published elsewhere except where it is clearly indicated in the published work that the publication is intended to be a republication;
- (f) unauthorized and intentional diversion of the research funds of the university, federal or provincial granting councils or other sponsors of research;

¹ Purely formal association with the research project such as the headship of a laboratory or faculty where the head or dean had no direct research involvement may be noted as an acknowledgement but not as authorship. General supervision of the research group is also not sufficient for authorship but may be acknowledged. Technical help, data collection or critical reviews of the manuscript prior to publication may be acknowledged in a separate paragraph.

2.

(g) material failure to comply with relevant federal or provincial statutes or regulations for the protection of researchers, human subjects, or the health and safety of the public, or for the welfare of laboratory animals;

(h) material failure to meet other relevant legal requirements that relate to the conduct or reporting of research and scholarly activity;

(i) failure to reveal material conflict of interest to sponsors or to those who commission work, or when asked to undertake reviews of research grant applications or manuscripts for publication, or to test products for sale or for distribution to the public;

(j) failure by those involved in a research project to reveal to the employer any material financial interest in a company that contracts with the employer to undertake research, particularly research involving the company's products or those of its direct competitors, or to provide research-related materials or services. Material financial interest includes ownership, substantial stock holding, a directorship, significant honoraria or consulting fees but does not include routine stock holding in a large publicly traded company.

2. Retention of research and scholarly activity materials:

2.01 Employees shall only be responsible for providing an arbitration board access to research and scholarly activity materials which are in their possession and not for research materials which may be stored in archives, libraries or other institutions which the employer may consult at its expense and according to the rules of the host institution.

2.02 Normally, employees shall retain research and scholarly activity materials that are within their personal control for five years.

2.03 (a) If there are non-trivial financial costs involved in its retention, these costs shall be borne by the employer.

(b) The employee shall be indemnified by the Employer for any material loss resulting from the search or seizure, change of supervisory personnel, or access by third parties to or the use of his/her research and scholarly activity materials in the course of any investigation, inquiry or arbitration.

2.04 Ownership of research and scholarly activity materials collected, created or otherwise assembled by an employee shall be vested in that employee unless ownership of such materials had been vested in a person other than the employee or the employer prior to such creation, collection or assembly.

3.

3. Procedures

3.01 Any discipline imposed on an employee for fraud or misconduct in research and scholarly activity shall be subject to article X (the grievance and arbitration article of the collective agreement) except that cases involving allegations of fraud or misconduct in research and scholarly activity shall proceed directly to arbitration. All allegations of fraud or misconduct in research and scholarly activity shall be in writing, with documented evidence, signed, dated and directed to the President. The President may refer the allegations to a designate.

3.02 The President or designate shall investigate the allegations promptly, fairly and judiciously and in a confidential manner. All those contacted by the employer in the course of this investigation shall be explicitly informed that the process is confidential.

3.03 Before an investigation begins, the employee(s) named in the allegations shall be informed in writing of the investigation with a summary thereof sufficiently detailed to permit him/her a fair opportunity to respond if he/she wishes to do so, and of his/her right to be represented by the Faculty Association at any meetings between the employee and the employer or its designates. Any statements made by the employee during such meetings shall be without prejudice.

3.04 No person consulted by the employer concerning the case shall be appointed an arbitrator in any subsequent arbitration dealing with these allegations.

3.05 A statement from the employer that an employee was guilty of fraud or misconduct in research and scholarly activity, with or without any formal sanctions, constitutes discipline and may be arbitrated.

3.06 If the matter is referred to an arbitration board, the employer shall bear the onus of proving just and sufficient cause. Any matter referred to arbitration shall be heard de novo and the report(s) of any previous inquiry into such matters shall not be admitted into evidence.² The arbitration board shall have the power to vary the penalty imposed by the employer.

3.07 Any finding of fraud or research and scholarly activity misconduct shall require clear, cogent and convincing proof of deliberate deception.

3.08 If the employer decides after investigation not to take disciplinary action against the employee named in the allegations or if an arbitration board decides in his/her favour, the

4.

employer shall remove all documentation concerning the allegations from the employee's official file, and shall, at the sole discretion of the employee, destroy the documentation or transfer it to the employee, except that it shall retain any arbitration report which shall be a public document.

3.09 The employer shall take such steps as may be necessary and reasonable to:

(a) protect the reputation and credibility of employees wrongfully accused of fraud or misconduct in research and scholarly activity, including written notification of the decision to all agencies, publishers, or individuals who were informed by the employer of the investigation.

(b) protect the rights, positions and reputations of employees who in good faith make allegations of research and scholarly activity misconduct, or whom it calls as witnesses in an investigation. Such protection shall include, as a minimum, legal counsel and other legal costs should the employee be sued for their participation in any investigation or in arbitration proceedings.

(c) minimize disruption to the research of the person making the allegation and of any third party whose research may be affected by the securing of evidence relevant to the allegation during the course of the investigation; and

(d) ensure that any disruption in research, teaching or community service resulting from allegations of fraud or misconduct does not adversely affect future decisions concerning the careers of those referenced in (a-c) above.

3.10 The university shall take disciplinary action against employees or students who make unfounded allegations of fraud or research and scholarly activity misconduct which are reckless, malicious or not in good faith.

3.11 If the employer's investigation or the arbitration board sustains an accusation of fraud or misconduct in research, and if that research is funded by an outside agency or has been published or submitted for publication, the President shall inform the agency or publisher concerned of the decision, as well as the faculty association and the complainant and the respondent. In any event, if the outside agency or publisher has been informed of the proceedings before a judgment has been rendered, the President shall send a copy of the decision of the university administration to the agency or publisher concerned.

Approved by the CAUT Council, November 1995

²See British Columbia Institute of Technology (Pacific Marine Training Campus) and British Columbia Government and Services Employees' Union (BCGSEU), Robert B. Blasina, Arbitrator, February 22, 1995.